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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/919,814	08/02/2001	Yukihiko Ichikawa	018775-836	4284

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EXAMINER	
MILIA, MARK R	
ART UNIT	**PAPER NUMBER**
2622	

DATE MAILED: 02/22/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/919,814	ICHIKAWA ET AL.	
	Examiner	Art Unit	
	Mark R. Milia	2622	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☐ Responsive to communication(s) filed on _____.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) 1-15 is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) 1-15 is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☒ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on 02 August 2001 is/are: a)☐ accepted or b)☒ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☒ All b)☐ Some * c)☐ None of:

1.☒ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date 11/2/01.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

Drawings

1. The drawings are objected to because in Figure 12, the controller is labeled as element "20" but should be labeled as element "520". Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Specification

2. The disclosure is objected to because of the following informalities: Page 18, line 18, "13" should read "513" and line 19, "13" should read "513". Appropriate correction is required.

Claim Rejections - 35 USC § 101

3. 35 U.S.C. 101 reads as follows:

> Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

Claims 8 and 15 are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter. Claims 8 and 15 are directed to a computer program. Such a claim is non-statutory because the terminology "computer program" alone has no set definition. A statutory product with descriptive material must include a positive recitation of the computer readable medium, see MPEP 2106. Examiner suggests amending the claims to read "A computer program embodied in a computer readable medium for performing the steps of..." or "A computer readable medium storing a program for performing the steps of..." or any other similar wording which best clarifies the claim and includes a positive recitation of the computer readable medium.

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-3 and 5-8 are rejected under 35 U.S.C. 102(b) as being anticipated by U.S. Patent No. 5825942 to Miyaza.

Regarding claim 1, Miyaza discloses an image processor comprising a code recognizer which recognizes character code from a character image included in an image data to be processed (see column 10 lines 42-48, column 11 lines 10-20, column 12 lines 46-53, and column 13 lines 21-35), a size recognizer which recognizes character sizes of the character image (see column 10 lines 3-7 and column 12 lines 13-20 and 51-54), a setter which sets a magnification (see column 8 lines 59-65, column 9 lines 5-8, and column 12 lines 39-45), a magnification changer which enlarges or reduces the image data according to the magnification set said setter (see column 10 lines 42-48, column 11 lines 5-9, column 21 lines 16-31, and column 43 lines 7-27), a memory section which stores a plurality of font data of different sizes (see column 13 lines 38-51 and column 67 lines 63-65), a selector which selects a font data among the plurality of data stored in said memory section, the font data matching with the character code recognized by said code recognizer, the font size recognized by said size recognizer and the magnification set by said setter (see column 13 lines 38-51, column 67 lines 36-46, and column 67 line 59-column 68 line 18), and an output section which outputs the font data selected said selector (see Fig. 3, column 8 lines 46-57, column 64 lines 1-4, and column 68 lines 40-42).

Regarding claims 7 and 8, Miyaza discloses an image processing method and computer readable medium storing a program comprising the steps of recognizing

character code from a character image included in an image data to be processed (see column 10 lines 42-48, column 11 lines 10-20, column 12 lines 46-53, and column 13 lines 21-35), recognizing character size of the character image (see column 10 lines 3-7 and column 12 lines 13-20 and 51-54), setting a magnification (see column 8 lines 59-65, column 9 lines 5-8, column 10 lines 42-48, column 11 lines 5-9, column 12 lines 39-45, column 21 lines 16-31, and column 43 lines 7-27), selecting a font data among a plurality of font data of different sizes, the font data matching with the recognized character code, the recognized font sizes and the set magnification (see column 13 lines 38-51, column 67 lines 36-46, and column 67 line 59-column 68 line 18), and outputting the selected font data (see Fig. 3, column 8 lines 46-57, column 64 lines 1-4, and column 68 lines 40-42).

Regarding claim 2, Miyaza discloses the system discussed in claim 1, and further discloses a reading section which reads a document image to provide the image data to be processed (see column 7 lines 49-50).

Regarding claim 3, Miyaza discloses the system discussed in claim 1, and further discloses an image-forming section which forms an image on a recording medium based on the font data outputted by said output section (see Fig. 3, column 8 lines 46-57, and column 64 lines 1-4).

Regarding claim 5, Miyaza discloses the system discussed in claim 1, and further discloses a size changer which changes the font size selected by said selector, based on the character size recognized by said size recognizer and the magnification set by said setter (see column 67 lines 36-46 and column 65 lines 14-62).

Regarding claim 6, Miyaza discloses the system discussed in claim 1, and further discloses wherein said magnification changer enlarges or reduces the character image based on the magnification set by said setter when font data in correspondence to the character code recognized by said code recognizer is not stored in said memory section (see column 21 lines 16-31 and column 43 lines 7-27).

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claims 9-15 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 6243549 to Ando in view of Miyaza.

Regarding claim 9, Ando discloses an instruction section which instructs to output image data of N pages to be processed in M sheets of recording medium, wherein N and M are natural numbers and N is not equal to M (see Figs. 6B, 6D, and 7A, column 5 lines 12-14, column 6 lines 52-58, column 6 line 66-column 7 line 37, column 8 lines 48-52, and column 12 lines 15-46), a synthesizer which generates an output image data by laying out the font data selected by said selector in the M sheets (see column 4 lines 40-42, column 5 lines 12-14, and column 12 lines 15-46), and an output section which outputs the output image data generated by said synthesizer (see column 3 lines 47-55).

Ando does not disclose expressly a code recognizer which recognizes character code from a character image included in the image data of N pages, a memory section which stores a plurality of font data, and a selector which selects a font data among the plurality of font data stored in said memory section, the font data matching to the character code recognized by said code recognizer.

Miyaza discloses a code recognizer which recognizes character code from a character image included in the image data of N pages (see column 10 lines 42-48, column 11 lines 10-20, column 12 lines 46-53, and column 13 lines 21-35), a memory section which stores a plurality of font data (see column 13 lines 38-51 and column 67 lines 63-65), and a selector which selects a font data among the plurality of font data stored in said memory section, the font data matching to the character code recognized by said code recognizer (see column 13 lines 38-51, column 67 lines 36-46, and column 67 line 59-column 68 line 18).

Regarding claims 14 and 15, Ando discloses instructing to output image data of N pages to be processed in M sheets of recording medium, wherein N and M are natural numbers and N is not equal to M (see Figs. 6B, 6D, and 7A, column 5 lines 12-14, column 6 lines 52-58, column 6 line 66-column 7 line 37, column 8 lines 48-52, and column 12 lines 15-46), generating an output image data in a layout of M sheets by using the selected font data (see column 3 lines 47-55, column 4 lines 40-42, column 5 lines 12-14, column 6 line 66-column 7 line 37, and column 12 lines 15-46), and outputting the generated output image data (see column 3 lines 47-55).

Ando does not disclose expressly recognizing character code from a character image included in the image data of N pages and selecting a font data among a plurality of font data, the font data matching to the recognized character code.

Miyaza discloses recognizing character code from a character image included in the image data of N pages (see column 10 lines 42-48, column 11 lines 10-20, column 12 lines 46-53, and column 13 lines 21-35) and selecting a font data among a plurality of font data, the font data matching to the recognized character code (see column 13 lines 38-51, column 67 lines 36-46, and column 67 line 59-column 68 line 18).

Ando & Miyaza are combinable because they are from the same field of endeavor, manipulation of documents using an image forming apparatus.

At the time of the invention, it would have been obvious to a person of ordinary skill in the art to combine the character recognizer, magnifier, and correction system of Miyaza with the system of Ando.

The suggestion/motivation for doing so would have been to provide a system in which only those documents which are in a readable condition will be printed (see column 13 lines 9-15 of Miyaza).

Therefore, it would have been obvious to combine Miyaza with Ando to obtain the invention as specified in claims 9 and 14-15.

Regarding claim 10, Ando and Miyaza discloses the system discussed in claim 9, and Miyaza further discloses wherein said memory section stores the plurality of font data of different sizes, further comprising a font size calculator which calculates a size of the font data to be selected by said selector so that the font data selected by said

selector are included in a predetermined are in the M sheets (see column 65 lines 14-62 and column 67 lines 36-46).

Regarding claim 11, Ando and Miyaza discloses the system discussed in claim 9, and Ando further discloses a region size calculator which calculates a size of an output character region in the M sheets according to the character region (see column 6 line 66-column 7 line 37 and column 8 line 17-column 10 line 14) and Miyaza further discloses a discriminator which discriminates a character region in the image data to be processed (see column 12 lines 47-54) and a font size calculator which calculates a size of the font data to be selected by said selector so that the font data selected by said selector are included in the output character region in the M sheets (see column 65 lines 14-62 and column 67 lines 36-46).

Regarding claim 12, Ando and Miyaza discloses the system discussed in claim 9, and Ando further discloses wherein N is larger than M (see column 5 lines 12-14, column 8 lines 48-52, and column 12 lines 15-46).

Regarding claim 13, Ando and Miyaza discloses the system discussed in claim 12, and Ando further discloses wherein N is an odd number (see column 6 lines 52-58, reference teaches that N can be any number of pages therefore N can be an odd number and is analogous to the claim).

Ando & Miyaza are combinable because they are from the same field of endeavor, manipulation of documents using an image forming apparatus.

At the time of the invention, it would have been obvious to a person of ordinary skill in the art to combine the character recognizer, magnifier, and correction system of Miyaza with the system of Ando.

The suggestion/motivation for doing so would have been to provide a system in which only those documents which are in a readable condition will be printed (see column 13 lines 9-15 of Miyaza).

Therefore, it would have been obvious to combine Miyaza with Ando to obtain the invention as specified in claims 10-13.

Claim 4 is rejected under 35 U.S.C. 103(a) as being unpatentable over Miyaza as applied to claim 1 above, and further in view of U.S. Patent No. 5533174 to Flowers Jr. et al.

Miyaza does not disclose expressly a communication section which communicates with an external apparatus, wherein said selector selects the compatible font data among a plurality of font data stored in the external apparatus via the communication section.

Flowers discloses a communication section which communicates with an external apparatus, wherein said selector selects the compatible font data among a plurality of font data stored in the external apparatus via the communication section (see Figs. 1 and 2, column 4 lines 9-13 and 22-36, column 5 lines 6-16, and column 12 lines 3-21).

Miyaza & Flowers are combinable because they are from the same field of endeavor, matching character fonts for subsequent printing.

At the time of the invention, it would have been obvious to a person of ordinary skill in the art to combine the external font server of Flowers with the system of Miyaza.

The suggestion/motivation for doing so would have been eliminate the need for the client to devote storage space to character fonts and to increase processing time (see column 4 lines 22-27 and column 13 lines 5-8 of Flowers).

Therefore, it would have been obvious to combine Flowers with Miyaza to obtain the invention as specified in claim 4.

Conclusion

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

U.S. Patent No. 6337924 to Smith discloses a system and method to accurately recognize the font of text received from an input image, store a plurality of fonts in memory, and match the received character text with fonts stored in memory to output a document which most closely resembles the original image.

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Mark R. Milia whose telephone number is (703) 305-1900. The examiner can normally be reached M-F 8:00am-4:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Edward Coles can be reached at (703) 305-4712. The fax number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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Examiner
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